

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

RULE TITLE:

Forms and Instructions

RULE NO.:

40E-1.659

PURPOSE AND EFFECT: To incorporate by reference the following forms: a conservation restrictive covenant, conservation easements to be granted to the District allowing for standard, passive recreational, and riparian uses, and conservation easements granted to third parties allowing for standard, passive recreational and riparian uses. The regulated public will benefit by the incorporation of these forms into the District's rules by reducing review time for both the applicants and District staff reviewers and by ensuring that the forms are consistent with the requirements of Section 704.06, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Real Property Conveyances and Restrictions, Section 4.3.8 of the Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District.

SPECIFIC AUTHORITY: 120.53, 218.075, 373.044, 373.113, 373.4136, 373.416, 695.03, 704.06 F.S.

LAW IMPLEMENTED: 120.53, 218.075, 373.113, 373.4135, 373.4136, 373.416, 704.06 F.S.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE FOLLOWING:

TIME AND DATE: 9:00 A.M., August 1, 2006

PLACE: South Florida Water Management District Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406.

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact the South Florida Water Management District Clerk's Office, at (561) 682-2087 at least two business days in advance to make appropriate arrangements.

THE PERSON TO CONTACT REGARDING THE PROPOSED RULE DEVELOPMENT

IS: Anita Bain, Director, Natural Resource Management Division, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1-800-432-2045, extension 6866 or (561) 682-6866, or by email to abain@sfwmd.gov). For procedural questions please contact Jan Sluth, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1-800-432-2045, extension 6299 or (561) 682-6299, or by email to jsluth@sfwmd.gov).

Copies of the forms are located at the District's website at: my.sfwmd.gov/permitting in the right hand column under "rule development". Copies can also be obtained by contacting Jan Sluth, Paralegal at the contact information provided above.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-1.659 Forms and Instructions.

(1) The following forms and instructions are hereby incorporated by reference into this chapter:

| Form No. | Date | Title |
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| 0050A | 7-89 | Application to the South Florida Water Management District for a Permit for Utilization of District Works or Modification of Existing Permit Works of the District No. |
| 0108 | 3-91 | Application for Release of Mineral, Canal, and Road Reservations Reserved Under Chapters 6456, 6957, 7305, 9131, 14717 and 20658, Laws of Florida |
| 0113 | 8-95 | Surface Water Management Permit No. |
| 0115 | 8-95 | Surface Water Management Permit Modification No. |
| 0119 | 8-95 | Wetland Resource Permit No. |
| 0122 | 4-93 | Application to the South Florida Water Management District for Authority to Utilize Works or Land of the District |
| 0123 | 4-95 | Well Construction Permit Application |
| 0124 | 11-90 | Well Completion Report |
| 0145 | 8-95 | Environmental Resource Permit No. |
| 0157 | 8-95 | Environmental Resource Permit Modification No. |
| 0188-QMQ | 8-03 | Quarterly Report of Withdrawals |
| 0188-MDQ | 8-03 | Monthly Report of Daily Withdrawals |
| 0188-QASR | 8-03 | Quarterly Report of Injections and Withdrawals for Aquifer Storage and Recovery (ASR) Wells] |
| 0188-QMON | 8-03 | Quarterly Report of Monitoring Requirements |
| 0188-QMQF | 8-03 | Quarterly Report of Withdrawals from Wells and Surface Water Pumps |

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| 0188-QCROP | 8-03 | Report of Planting and Harvest of Seasonal Crops |
| 0188-QBWDR | 8-03 | Quarterly Report of Bulk Water Delivered and Received |
| 0195 | 6-91 | Public Water Supply Well Information and Classification |
| 0196 | 10-89 | Water Well Inspection Scheduling Card |
| 0299 | 1-90 | Water Use Permit No. |
| 0444 | 8-95 | Application for a Standard General Permit for Incidental Site Activities |
| 0445 | 8-03 | Mining/Dewatering Permit Application (RC-1A, RC- 1W, RC-1G) |
| 0483 | 9-04 | Request for Environmental Resource, Surface Water Management, Water Use or Wetland Resource Permit Transfer |
| 0645-W01 | 8-03 | Water Use Permit Application (RC-1A, RC-1W, RC- 1G) |
| 0645-G60 | 8-03 | Table A Descriptions of Wells |
| 0645-G61-1 | 8-03 | Table B Description of Surface Water Pumps |
| 0645-G61-2 | 8-03 | Table C Description of Culverts |
| 0645-G65 | 8-03 | Table D Crop Information |
| 0645-G74 | 8-03 | Table E Water Received From or Distributed to Other Entities |

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| 0645-G69 | 8-03 | Table F Past Water Use & Table G Projected Water Use |
| 0645-G70 | 8-03 | Table H Projected Water Use (For Per Capita Greater than 200 GPD) |
| 0645-G71 | 8-03 | Table I Water Treatment Method and Losses |
| 0645-G72 | 8-03 | Table J Aquifer Storage and Recovery |
| 0645-G73 | 8-03 | Table K Water Supply System Interconnections |
| 0779 | 5-92 | Guidance for Preparing an Application for a “Works of the District” Permit in the Everglades/Application for a Works of the District Permit |
| 0830 | 4-94 | Special Use Application and License |
| 0881A | 9-03 | Environmental Resource/Surface Water Management Permit Construction Completion Certification |
| 0881B | 9-03 | Environmental Resource/Surface Water Management Permit Construction Completion Certification – For Projects Permitted Prior to October 3, 1995 |
| 0889 | 9-04 | Certification of Waiver of Permit Application Processing Fee |
| 0920 | 9-04 | Request for Conversion of District Environmental Resource/Surface Water Management Permit from Construction Phase to Operation Phase and Transfer of Permit to the Operating Entity |

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| 0941 | 8-95 | Environmental Resource Standard/Noticed General Permit No. |
| 0942 | 8-95 | Surface Water Management General Permit No. |
| 0960 | 9-04 | Environmental Resource/Surface Water Management Permit Construction Commencement Notice |
| 0961 | 9-04 | Environmental Resource/Surface Water Management Permit Annual Status Report for Surface Water Management System Construction |
| 0970 | 2-04 | Applicant Transmittal Form for Requested Additional Information |
| 0971 | 8-95 | Joint Application for Environmental Resource Permit/Authorization to Use State Owned Submerged Lands/Federal Dredge and Fill Permit |
| 0972 | 8-95 | Petition for a Formal Wetland and Surface Water Determination |
| 0973 | 8-95 | Above Ground Impoundment Inspection/Certification Report |
| 0974 | 8-95 | Notice of Intent to Construct a Minor Silvicultural System |
| 0980 | 8-95 | Notice of Intent to Use a Noticed General Environmental Resource Permit |
| 1019 | 9-04 | Mitigation Bank Performance Bond to Demonstrate Construction/Implementation Financial Assurance |

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| 1020 | 9-04 | Mitigation Bank Irrevocable Letter of Credit to Demonstrate Construction/Implementation Financial Assurance |
| 1021 | 9-04 | Mitigation Bank Standby Trust Fund Agreement to Demonstrate Construction/Implementation Financial Assurance |
| 1022 | 9-04 | Mitigation Bank Trust Fund Agreement to Demonstrate Construction/Implementation Financial Assurance |
| 1023 | 9-04 | Mitigation Bank Trust Fund Agreement to Demonstrate Perpetual Management Financial Assurance |
| 1024 | 9-04 | Mitigation Bank Standby Trust Fund Agreement to Demonstrate Perpetual Management Financial Assurance |
| 1105 | 6-02 | Performance Bond to Demonstrate Financial Assurance |
| 1106 | 6-02 | Irrevocable Letter of Credit to Demonstrate Financial Assurance |
| 1109 | 8-03 | Water Use General Permit |
| 1189 | 2-06 | Notice of Environmental Resource or Surface Water Management Permit |
| 1190 | | <u>Deed of Conservation Easement (Standard)</u> |

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| 1191 | Deed of Conservation Easement (Standard Passive Recreational) |
| 1192 | Deed of Conservation Easement (Standard Riparian) |
| 1194 | Deed of Conservation Easement (Third Party Standard) |
| 1195 | Deed of Conservation Easement (Third Party Passive Recreational) |
| 1196 | Deed of Conservation Easement (Third Party Riparian) |
| 1197 | Restrictive Covenant (Standard) |

(2) (a) through (g) No Change.

Specific Authority 120.53, 218.075, 373.044, 373.113, 373.4136, 373.416, 704.06 FS.

Law Implemented 120.53, 218.075, 373.113, 373.4135, 373.4136, 373.416, 704.06 FS.

History—New 9-3-81, *Amended* 12-1-82, 3-9-83, *Formerly* 16K-1.90, *Amended* 7-26-87, 11-21-89, 1-4-93, *Formerly* 40E-1.901, *Amended* 5-11-93, 4-20-94, 10-3-95, 6-26-02, 8-14-02, 8-31-03, 9-16-03, 9-20,04, 2-12-06, _____.